

Minutes

Santee City Council Community Development Commission Santee Public Financing Authority

**Council Chambers
10601 Magnolia Avenue
Santee, California
August 27, 2008**

This Regular Meeting of the Santee City Council, Community Development Commission and the Santee Public Financing Authority was called to order by Mayor/Chairperson/Chair Randy Voepel at 7:03 p.m.

Council Members present were: Mayor/Chairperson/Chair Randy Voepel, Vice Mayor/Vice Chairperson/Vice Chair Hal Ryan and Council/Commission/Authority Members Jack E. Dale, Brian Jones and John W. Minto.

City Manager/Executive Director/Secretary Keith Till, City/Commission/Authority Attorney Shawn Hagerty, Deputy City Manager/Director of Development Services Gary Halbert, Finance Director/Treasurer Tim McDermott, Director of Fire and Life Safety Mike Rottenberg, Director of Community Services John Coates, Assistant to the City Manager Kathy Valverde, Assistant to the Executive Director Pamela White, Santee Sheriff's Captain Patricia Duke, City Clerk/Commission Secretary Linda Troyan, and Deputy City Clerk/Deputy Commission Secretary Patsy Bell.

(Note: Hereinafter the titles Mayor, Vice Mayor, Council Member, City Manager, City Attorney, City Clerk and Deputy City Clerk shall be used to indicate Mayor/Chairperson/Chair, Vice Mayor/Vice Chairperson/Vice Chair, Council/Commission/Authority Member, City Manager/Executive Director/Secretary, City/Commission/Authority Attorney, City Clerk/Commission Secretary, Deputy City Clerk/ Deputy Commission Secretary.)

INVOCATION: Pastor Brian Craig, New Heights Community Church

PLEDGE OF ALLEGIANCE: John Waino

ADJOURN IN MEMORY: James A. Romine

Council Member Dale presented a dozen white roses and the certificate to wife Leslie Romine.

PROCLAMATION: Knock-Knock Joke Championship

Proclamations were presented to Corryne Chenoweth and Jacob Joralemon.

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:

Mayor Voepel requested Item 9(B) be reordered to the Consent Calendar, Item 2(C) be reordered to the end of the meeting and Items 9(C) and 12(A) to be heard concurrently and reordered to follow Consent.

1. CONSENT CALENDAR:

- (A) Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances on Agenda.
- (B) Approval of Meeting Minutes:
 - Santee City Council 7-23-08 and 8-13-08 Regular Meeting
 - Community Development Commission 7-23-08 and 8-13-08 Regular Meeting
 - Santee Public Financing Authority 7-23-08 and 8-13-08 Regular Meeting
- (C) Approval of Payment of Demands as Presented.
- (D) Approval of the Expenditure of \$112,572.24 to Pay for July 2008 Legal Services and Related Costs.
- (E) Adoption of a Resolution Requesting \$114,800 in Transportation Development Act (TDA) Funds for Upgrade/Replacement of the Traffic Signal Controllers and Trolley System Improvements along Cuyamaca Street. (Reso 66-2008)
- (F) Adoption of a Resolution Vacating Excess Right-of-Way along Park Avenue and First Street, Approval of the Parcel Map for Walgreen's (TPM2008-03) at Magnolia and Mission Gorge Road and Authorization for Execution of Associated Right-of-Way Improvement Agreement. (Reso 67-2008)
- (G) Approval of Five Year Agreement with the County of San Diego for Animal Control Services for the Period July 1, 2008 through June 30, 2013 and Approval of Joint Operating and Financial Plan (Attachment B of the Agreement) for Fiscal Year 2008-09.
- (H) Rejection of Two Claims Against the City by Kevin Schultz and Lawrence O'Brien, Sr., per Government Code Section 913.
- (I) Approval to Rescind Award of Contract for Litter and Recycling Receptacles to South Bay Foundry, Reject All Bids and Authorization for Staff to Re-Bid the Work.

Reordered to the Consent Calendar:

9. COMMUNITY DEVELOPMENT COMMISSION:

- (B) A Resolution of the Santee Community Development Commission Opposing State Measures to Take Local Redevelopment Funds to Balance the California State Budget. (Reso: CDC 6-2008)

ACTION: On motion of Council Member Jones, seconded by Council Member Minto, the Agenda and Consent Calendar were approved as amended with all voting aye.

Reordered to follow Consent Calendar:

The following items were heard concurrently

9. COMMUNITY DEVELOPMENT COMMISSION:

- (C) Report on Possible Termination of Mixed Use Project Cooperation Agreement Between the City, Community Development Commission, and County of San Diego.

12. CLOSED SESSION

(A) CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Government Code Section 54956.8)

Property: Parcel 2 and Parcel 3 of the Parcel Map for the Riverview Office Park (TPM 2005-04)

Agency Negotiators: City Manager

Negotiating Parties: City of Santee, County of San Diego & Ryan Co.

Under Negotiation: Price and terms of payment

Mayor Voepel announced that Council would go into Closed Session to receive a confidential staff report then come back out to Open Session for Council and public comments.

Council Members convened in Closed Session at 7:17 p.m. with all Members present and reconvened in Open Session at 7:52 p.m. with all Members present. Mayor Voepel reported that direction had been given to staff.

Public Speakers: None

(B) Public Hearing for Adoption of a Design Guideline and Surface Utility Maintenance Manual.

The Public Hearing opened at 7:53 p.m.

ACTION: On motion of Mayor Voepel, seconded by Council Member Minto, the Public Hearing was continued to September 10, 2008 with all voting aye.

(C) Public Hearing and Second Reading and Adoption of an Ordinance of the City Council Amending Chapter 15.20 of the Santee Municipal Code to Adopt the 2006 International Fire Code and the California Amendments Thereto Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire, Hazardous Materials or Explosion; and Providing for the Issuance of Permits for Hazardous Uses or Operations. (ORD 480)

The Public Hearing opened at 7:53 p.m.

ACTION: On motion of Council Member Dale, seconded by Council Member Minto, the Public Hearing was closed at 7:53 p.m. and the Ordinance adopted with all voting aye.

3. ORDINANCES (First Reading): See 2(A)

4. CITY COUNCIL REPORTS:

(A) Community Oriented Policing Committee 2008 Semi-Annual Report. (Minto)

Council Member Minto gave an overview of the projects and accomplishments of the committee over the past year. He thanked the committee members for their dedication to meeting monthly instead of quarterly in order to be proactive and meet the needs of the community.

5. CONTINUED BUSINESS: None

6. NEW BUSINESS:

- (A) Approval of Fourth Amendment and Restatement to the Refuse Franchise Agreement between the City of Santee and Waste Management. . (Reso 70-2008)

Public Speaker: Les Hart, Waste Management was available for questions.

ACTION: On motion of Council Member Dale, seconded by Vice Mayor Ryan, the Resolution amending and restating the franchise agreement with Waste Management was approved with all voting aye.

Reordered to follow Item 6(A)

2. PUBLIC HEARINGS:

- (A) Public Hearing for the “Lantern Crest” General Plan Amendment (GPA07-03), Rezone (R07-02), and Conditional Use Permit (P07-12) to Permit the Construction of a 360 Unit Congregate Care Facility with up to Four Stories and 55 Feet in Height in the NC/R14, R1-A, and HL Zones Located at the East Terminus of Prospect Avenue at 8549 Graves Avenue. Applicant: Santee Senior Retirement Communities, LLC (Resos: GPA 68-2008 & CUP 69-2008)

The Public Hearing opened at 7:59 p.m.

Vice Mayor Ryan and Council Member Dale both announced an abstention on this item as each had a conflict of interest. Vice Mayor Ryan and Council Member Dale left the Chamber.

Deputy City Manager/Director of Development Services Halbert introduced the item and Associate Planner Rick Brady presented the staff report utilizing a PowerPoint presentation. Deputy City Manager/Director of Development Services Halbert, Associate Planner Brady, City Planner Melanie Kush, Principal Civil Engineer Julie Procopio, and Principal Traffic Engineer Minjie Mei answered Council's questions.

Public Speakers:

Speaking In Favor were:

1. Ali Kazemzadeh, Applicant
2. Michael Grant, Lantern Crest
3. Bryan M. Sproviero
4. Neil & Sally Frumkin

5. Ed Harris
6. Randolph Torres
7. Jim Bachofer, Engineer for the Project
8. Karl Hopper
9. Joe Powell
10. Jim Montague
11. Mary Alice Gerkin
12. Warren Savage, Chamber of Commerce
13. Dave Louza
14. Ed Bailey
15. Polly Miller, ILS (part of the applicant team)
16. Sue Farrow, (part of the applicant team)
17. Rusty Williams
18. Judy Bachofer
19. John Roble
20. Dave Hurwitz
21. Sydney J. Kennedy, A Place For Mom, Inc.
22. Donald Defrain
23. Elaine P. Murphy
24. Harold Brown
25. Robert Sharp, Lantern Crest
26. Joe Reilly, Edgemoor Senior Project
27. Hervey Langevin
28. Todd Hoover
29. Carol Kuske
30. Bob Olson
31. Augie Scalzitti
32. Rob McNelis
33. Boyd Frumkin

Submitting speakers slips in support but not wishing to speak were: Herbert Sullivan, Justin Lozoya, Connie Bailey, Barbara Grant, Jane Shiel, Mary J. Curtis, Michael Kazemzadeh, and Martha Tassi.

Speaking in Opposition were:

1. Jack Palmer
2. Dolores Earlywine submitted an additional 56 signatures on the petition
3. Jim Hutchison
4. Ernest W. Fischer
5. Anthony Forte, Citizens Against Lantern Crest
6. Barb Ziber

At Council's request, Michael Grant reported he anticipates three to four phases of construction to complete the project. The first phase would last 15 to 18 months with the other three phases lasting 12 to 15 months each.

Entered Into the Record:

City Clerk Troyan noted that 9 letters, 9 emails, 4 phone calls and 1,136 petition signatures had been received in support; and, 2 emails and 304 petition signatures in opposition were received.

During discussion it was noted that the developer still needs to obtain FAA permits in order for the project to move forward. Staff was directed to closely monitor the traffic and keep it moving in the project area.

ACTION: On motion of Mayor Voepel, seconded by Council Member Jones, the Public Hearing was closed at 10:19 p.m., the Mitigated Negative Declaration was found to be complete and in compliance with the provisions of the California Environmental Quality Act, two Resolutions were adopted approving General Plan Amendment GPA07-03 and Conditional Use Permit P07-12, and the ordinance amending the Zone District Map R07-02 was introduced for First Reading with all voting aye, except Vice Mayor Ryan and Council Member Dale who abstained.

7. COMMUNICATION FROM THE PUBLIC: None

8. CITY MANAGER REPORTS: None

9. COMMUNITY DEVELOPMENT COMMISSION:

(Note: Minutes appear as Item 1B)

(A) Item Removed prior to issuance of the Agenda.

(B) Item reordered to the Consent Calendar.

(C) Item reordered to follow the Consent Calendar and to be heard concurrently with Item 12(A).

10. SANTEE PUBLIC FINANCING AUTHORITY:

(Note: Minutes appear as Item 1B)

11. CITY ATTORNEY REPORTS: None

12. CLOSED SESSION:

(A) Item was reordered to follow the Consent Calendar and heard concurrently with Item 9(C).

13. ADJOURNMENT:

There being no further business, the meeting was Adjourned in Memory of James Romine at 10:18 p.m.

Date Approved: September 10, 2008

/s/Linda A. Troyan

Linda Troyan, City Clerk/Commission Secretary
and for Authority Secretary Keith Till